

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Criminal No. 5:05-CR-155-F-1

Civil No. 5:11-CV-221-F

CARLOS JAVIER MEDINA-CASTELLANOS)

Petitioner,

)

)

v.

)

)

UNITED STATES OF AMERICA,

Respondent.

)

O R D E R

Having conducted an examination of petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings and it appearing that dismissal is not warranted at this time, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED.

This the 5<sup>th</sup> day of May, 2011.

  
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James C. Fox  
Senior United States District Judge